

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
CIVIL ACTION - LAW**

AAMCO TRANSMISSIONS, INC.	:	
Plaintiff,	:	
v.	:	
JAMES M. DUNLAP	:	No. 2:11-cv-04009-BMS
Defendant.	:	

PRELIMINARY INJUNCTION ORDER

AND NOW, this ____ day of _____, 2011, upon consideration of Plaintiff's Motion For Preliminary Injunction, and after a duly noticed hearing, and the Court having determined that: (1) there is a likelihood that Plaintiff will prevail on the merits at the final injunction hearing; (2) Plaintiff is being irreparably harmed by the continuing conduct of the Defendant; (3) Defendant will not suffer undue harm; and (4) the preliminary injunction will serve the public interest, it is hereby ORDERED and DECREED that Plaintiff's Motion for a PRELIMINARY INJUNCTION is GRANTED. Defendant, his officers, agents, servants, employees and those persons in active concert or participation with him, are hereby enjoined -- in connection with Defendant's automotive repair business located at 1330 S. Military Highway, Chesapeake, VA 23320 (the "Center") -- as follows:

A. from using in any manner, including without limitation on or in any signs, stationery, letterheads, forms, printed matter or advertising, the proprietary marks "AAMCO", "AAMCO Transmissions" or similar names or marks.

B. from advertising or otherwise holding themselves out, directly or indirectly, as an authorized franchisee of ATI or as being in any way sponsored by or connected or associated with ATI.

C. from doing anything to cause potential purchasers of transmission repair services to believe that any services or repairs performed by Defendant or any business with which he is associated originate with ATI or are endorsed or sponsored by ATI.

D. to deliver to ATI all materials from the Center, including without limitation signs, stationery, letterhead, forms, printed matter and advertising, which contain the proprietary marks "AAMCO", "AAMCO Transmissions", or similar names or marks.

E. to transfer to ATI or at ATI's direction, each telephone number listed by Defendant under the designation "AAMCO Transmission" or any similar designation, including the telephone number (757) 424-6444, and execute any instruments and take such steps as may be necessary or appropriate to transfer each such telephone numbers.

F. from engaging in, directly or indirectly, the automotive repair business within ten (10) miles of 1330 S. Military Highway, Chesapeake, VA 23320.

G. to serve on ATI within thirty (30) days after the issuance of this Order, a report in writing, under oath, setting forth in detail the measures undertaken by Defendant to comply herewith.

IF IS FURTHER ORDERED that Plaintiff shall post a bond, or escrow account with the Federal Court Clerk, in the amount of \$_____.

IF IS FURTHER ORDERED that this Order shall remain in full force and effect until further Order of this Court.

BY THE COURT:

Judge Berle M. Schiller

J.